CLASSIFICATION OFFICE DECISION

Title of publication:	A312D431717EF02B
Other known title(s):	Not stated
OFLC ref:	2000036.016
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	06 April 2020
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	06 April 2020

Summary of reasons for decision:

The image file explicitly depicts a man performing a sexual act on a girl. It is deemed to be objectionable because it promotes and supports the exploitation of children or young persons for sexual purposes and the use of urine in association with sexual conduct. The image is clearly intended to for the arousal of those with a sexual interest in children or young persons and presents them as available and appropriate subjects for adult sexual gratification. The availability of such material encourages the creation or reinforcement of these sexual interests. The objectionable classification given to this image file interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications which promote and support conduct under s3(2) of the Films, Videos, and Publications Classification Act 1993 be deemed objectionable. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.